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UNCLAS RANGOON 000355

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SUBJECT: LABOR MINISTER REJECTS ILO ACTION PLAN

REF: RANGOON 300

1. (SBU) COM Martinez met with Labor Minister Tin Winn on March 18 to encourage greater Burmese cooperation with the ILO on forced labor. Specifically, the COM urged the Minister to accept Rangoon ILO Liaison Officer Ms. Perret-Nguyen's recommendations for a plan of action to be presented at the ILO Governing Body on March 26-27. While Tin Winn said he has worked closely with Ms. Perret-Nguyen on the proposed plan of action, his government could not accept elements of the plan that she deemed essential for a minimally acceptable presentation to the GB. Tin Winn said his government would not accept the concept of a "mediator" empowered to receive and follow-up complaints regarding forced labor. He also rejected the idea of a pilot region where forced labor would be strictly prohibited and alternatives explored because, as envisioned by the ILO, the mediator would play a central role in the pilot region.

2. (SBU) Responding to COM's recommendation that the government's implementation committee against forced labor needed a representative from the army (the largest user of forced labor in the country), Tin Winn said the government considered putting a representative from the military Inspector General's office on the Committee but decided a military intelligence officer with experience in international relations would be more appropriate. Minister Tin Winn said the Burmese government has adequate mechanisms in place for receiving and investigations of complaints of forced labor and adequate laws for prosecution when necessary. The Labor Minister emphasized that the GOB will continue to focus on public awareness campaigns to ensure that citizens understand that forced labor is not legal. He dismissed the COM's comments that most victims of forced labor remained fearful of reporting abuses.

3. (SBU) Later the same day, ILO Liaison Officer Ms. Perret-Nguyen told COM that, on the eve of her departure for the GB meeting in Geneva, she was very discouraged by the government's intransigence on even the minimal elements necessary for a meaningful plan of action. Ms. Perret-Nguyen said the GOB appears to have reached a critical juncture on the issue of forced labor; it does not know how to wean itself off of a dependency on forced labor yet it is unwilling to allow the ILO, or any outsiders, the necessary access to help solve the problem. She said that in a meeting on March 5th, the Labor Minister asked if GOB acceptance of the two minimally required elements she was proposing to include in the action plan would satisfy the GB. When she responded that the GB would probably ask for more steps to be taken (but she would work together with the GOB to address these concerns), the Minister said that there was no incentive for the GOB to accept these minimal elements if more requirements were to follow. Perret-Nguyen said that the Minister appeared to be in the difficult position of attempting to appease the ILO without allowing real changes (i.e., greater transparency) that he knew Senior General Than Shwe and other members of the military leadership would reject. As it stands now, she said, she cannot endorse the government's plan and she expects that the GB will be quite critical of it.
Martinez